

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re DaVITA, INC. STOCKHOLDER )  
DERIVATIVE LITIGATION )

Case No. 1:17-cv-00152-MPT

\_\_\_\_\_)  
This Document Relates To: )  
ALL ACTIONS. )

**DECLARATION OF BENNY C. GOODMAN III IN SUPPORT OF UNOPPOSED  
MOTION FOR PRELIMINARY APPROVAL OF DERIVATIVE SETTLEMENT**

I, BENNY C. GOODMAN III, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of California, and am admitted *pro hac vice* to practice before this Court. I am a member of the law firm of Robbins Geller Rudman & Dowd LLP, one of the counsel of record for Lead Plaintiff in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could competently testify thereto.

2. Attached are true and correct copies of the following exhibits:

Exhibit A: *In re F5 Networks, Inc. Deriv. Litig.*, Case No. C06-794 RSL (W.D. Wash. Jan. 6, 2011) (Order and Final Judgment) (Slip Op.);

Exhibit B: *In re Google Inc. S'holder Deriv. Litig.*, Case No. CV-11-04248-PJH (N.D. Cal. Jan. 21, 2015) (Order Approving Derivative Settlement and Order of Dismissal with Prejudice) (Slip Op.);

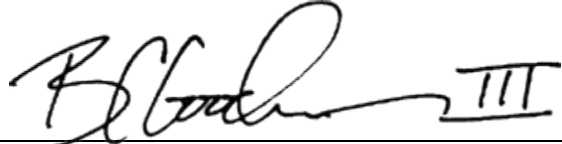
Exhibit C: *In re Google Inc. S'holder Deriv. Litig.*, Case No. CV-11-04248-PJH (N.D. Cal. Nov. 6, 2014) (, Order Preliminarily Approving Derivative Settlement and Providing for Notice) (Slip Op.);

Exhibit D: *City of Westland Police & Fire Ret. Sys. v. Stumpf*, Case No. 3:11-cv-02369-SI (N.D. Cal. May 12, 2014) (Order Preliminarily Approving Derivative Settlement and Providing for Notice) (Slip Op.);

Exhibit E: *McDannold v. Star Bank, N.A.*, Case No. C-1-94-0002 (S.D. Ohio Feb. 27, 2004) (Preliminary Approval Order) (Slip Op.);

- Exhibit F: *In re Eclipsys Corp. Deriv. Litig.*, Case No. 07-80611-CIV-MIDDLEBROOKS (S.D. Fla. June 12, 2008) (Order) (Slip Op.);
- Exhibit G: *In re Fossil, Inc. Deriv. Litig.*, Case No. 3:06-cv-01672-F (N.D. Tex. May 10, 2011) (Order Preliminarily Approving Derivative Settlement and Providing for Notice) (Slip Op.); and
- Exhibit H: *In re Abbott-Depakote S'holder Deriv. Litig.*, Case No. 1:11-cv-08114 (N.D. Ill. Mar. 13, 2014) (Order Preliminarily Approving Proposed Settlement, Directing the Issuance of Notice, and Setting a Final Settlement Hearing) (Slip Op.).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this Declaration on October 20, 2020, at San Diego, California.

A handwritten signature in black ink, appearing to read 'B. Goodman III', is written over a horizontal line.

BENNY C. GOODMAN III